



**Presentations & Awards City Commission Meeting**  
**City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive**  
**October 29, 2014**

Mayor Philip Levine  
Vice-Mayor Michael Grieco  
Commissioner Joy Malakoff  
Commissioner Micky Steinberg  
Commissioner Edward L. Tobin  
Commissioner Deede Weithorn  
Commissioner Jonah Wolfson

Left at 6:33:55 p.m.

City Manager Jimmy L. Morales  
City Attorney Raul J. Aguila  
City Clerk Rafael E. Granado

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**ATTENTION ALL LOBBYISTS**

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach, entitled "Lobbyists," requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the Office of the City Clerk. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

*Special note: In order to ensure adequate public consideration, if necessary, the Mayor and City Commission may move any agenda item to the alternate meeting date, which will only be held if needed. In addition, the Mayor and City Commission may, at their discretion, adjourn the Commission Meeting without reaching all agenda items.*

Meeting called to order at 5:03:07 p.m.

Pledge of Allegiance given by Police Officer Mariana Jomarron.

**ADDENDUM MATERIAL 1:**  
C4B and C4C

**ADDENDUM MATERIAL 2:**  
C7D

**SUPPLEMENTAL MATERIAL 1:**  
R7C

**Presentations and Awards****5:32:22 p.m.**

- PA1 Proclamation To Be Presented In Honor Of "Teacher And School Staff Breast Cancer Screening Day In The City Of Miami Beach," Recognizing The Collaboration Of The City Of Miami Beach/Miami Beach Chamber Of Commerce Healthcare Taskforce, Miami-Dade County Public Schools And The Mount Sinai Comprehensive Cancer Center's Efforts To Promote Preventive Health Measures In Our Community During National Breast Cancer Awareness Month.  
(Requested by Commissioner Deede Weithorn)

**ACTION:** Proclamation presented.

Commissioner Weithorn read the proclamation into the record and stated that they have proclaimed October 24, 2014, the "Teacher and School Staff Breast Cancer Screening Day in the City of Miami Beach."

Karen Rivo stated that her effort was to bring healthcare to all schools, and good things come out of these conversations. Mount Sinai Hospital recommended that staff and teachers have free mammograms during this month. She recognized Stacy Kilroy, Director of Planning and Government Relations at Mount Sinai Hospital; Debbie Belcher, Director of Breast Cancer Screening Center in Miami Beach; and Wendy Unger, who works with the City's Health Care Task Force. On Friday, October 24, 2014, staffers of schools in Miami Beach were screened for breast cancer. She thanked everyone for their participation and collaboration.

**6:56:37 p.m.**

- PA2 Certificate of Recognition To Be Presented To Adam Azan, Founder & President of Bags N' Stuff For His Activism To Help Foster Care Children.  
(Requested by Commissioner Deede Weithorn)

**ACTION:** Certificate presented. See action with PA9.

Commissioner Weithorn recognized Adam Azan, founder and president of "Bags N' Stuff," an organization he started at 13 years old that donates luggage, book bags and supplies to children in foster care who are aging out of the Foster Care system. Commissioner Weithorn, with the assistance of her colleagues, will start a drive to collect items and toiletries, and give it to Adam to distribute. Commissioner Weithorn knows how important this effort is.

Handouts or Reference Materials:

**FILL THE BAG!** brochure created by the Office of the Mayor and Commission.

**5:37:24 p.m.**

PA3 Proclamation To Be Presented To The Organizers Of The Great Big Challah Bake.  
(Requested by Commissioner Deede Weithorn)

**ACTION:** Proclamation presented.

Commissioner Weithorn read the proclamation into the record and gave a brief historical background on this event. There were over 3,000 people in the room baking Challah. It was a baking extravaganza. The event was intended to remind Jews of their shared bond whether near or far. She recognized Robin Jacobs.

Commissioner Malakoff added that she was there the day before, when the set-up was underway. The volunteers did a terrific job, and she thanked them all.

Linda Brogen on behalf of the Challah bake thanked the City Commission, and the Miami Beach Police Department.

Clerk's Note: Thousands of Jewish women gathered on Thursday, October 20, 2014 at the Miami Beach Convention Center for the Challah Bake. The Challah Bake Off is part of "Shabbos Project," a worldwide movement for people to connect with each other and Jewish Culture. The event is meant to encourage the observance of the Sabbath. Challah bread is an important part of weekly Shabbat Sabbath tradition. Information gathered from news article at Local10.com.

**6:01:28 p.m.**

PA4 Presentation By Officer Mariana Jomarron (Garcia) On Her Work Rescuing Animals In The City Of Miami Beach.  
(Requested by Mayor Philip Levine)

**ACTION:** Presentation made. Mayor Levine presented Officer Jomarron with a key to the City. He also explained that from the One Miami Beach foundation, which raises money for great causes for the benefit of the City, they want to help her immediately, and presented her with a check for \$10,000.

Mayor Levine stated that Officer Mariana Jomarron is the individual called by the City to aid animals in need, and she does it on her own, and uses her own money constantly for veterinary expenses. What Officer Jomarron has done for the City is amazing; and she has done it for several years. Officer Jomarron tries to find homes for rescued animals, and she represents the best in all of us. Mayor Levine read words from Gandhi: "The truest measure of any society is how it treats the most vulnerable members."

Officer Jomarron thanked everyone for the recognition, and gave a video presentation. To view the video presentation visit: <http://web.photodex.com/view/pd8qbbm4>

Mayor Levine thanked Officer Jomarron again, and presented her with the Key to the City and a check from the One Miami Beach Foundation for \$10,000 for her efforts helping animals throughout the City.

Commissioner Steinberg stated that her aide, adopted a cat that Officer Jomarron rescued, and she is taking good care of it.

**City Clerk's Note:** Mariana Jomarron is the Police Department's Animal Resource Officer; she may be reached at 305.673.7000 X 3705.

**6:24:48 p.m.**

PA5 Certificates Of Recognition To Be Presented To George Daly And Elias Hanono Of Boucher Brothers Management For Their Heroic Effort.

(Requested by Mayor Philip Levine)

**ACTION:** Certificates presented.

Mayor Levine introduced the item. He read the certificate into the record and stated that George Daly and Elias Hanono from Boucher Brothers Management, acted heroically on September 6, 2014, risking their own lives to save a pilot after his airplane crashed into the ocean off the coast of Miami Beach.

**6:28:30 p.m.**

PA6 Certificate Of Recognition To Be Presented To Eugene Gerson, Pool Guard, City Of Miami Beach.

(Requested by Mayor Philip Levine)

**ACTION:** Certificate presented.

Mayor Levine thanked Eugene who on July 19, 2014, while working at Flamingo Park as a pool guard, saved the life of a five-year-old girl. His quick action saved this little girl's life and the City is grateful for his heroic effort.

**6:33:55 p.m.**

PA7 Proclamation To Be Presented To Florida Highway Patrol.

(Requested by Mayor Philip Levine)

**ACTION:** Proclamation presented.

Commissioner Weithorn stated that 2014 is a special year for the Florida Highway Patrol, because it is their 75<sup>th</sup> anniversary. She thanked the Florida Highway Patrol for their service, and presented the three State Troopers with a certificate, and proclaimed October 22, 2014 Florida Highway Patrol Day.

**6:30:35 p.m.**

PA8 Proclamation To Be Presented To The Family Of The Late Jack Franco For His Contributions To The City Of Miami Beach.

(Requested by Mayor Philip Levine)

**ACTION:** Proclamation presented.

Mayor Levine read a proclamation in memory of Jack Franco, who was a pioneer in making the South of Fifth Neighborhood what it is today. This proclamation was presented to his family for the contributions Mr. Franco made to the City of Miami Beach, and proclaimed October 29, 2014 as Mr. Jack Franco Day.

Vice-Mayor Grieco thanked Mayor Levine for recognizing Jack Franco, who was a friend of his.

**6:41:29 p.m.**

PA9 Proclamation Recognizing November As National Adoption Month And Call To Action For Miami Beach Residents To Help Children In Foster Care And Adoption.

(Requested by Commissioner Edward L. Tobin)

**ACTION:** Proclamation presented. PA2 heard in conjunction with this item.

Commissioner Tobin recognized his aide Dessiree Kane and introduced the item.

Dessiree Kane, aide to Commissioner Tobin, stated that she was a foster child, and this is very dear to her heart. Children in the community need help and she discussed this with Commissioner Tobin. Today is a call to action. You can grant a wish to a foster child, you can become a volunteer, or a foster parent. There are many ways to help children. She read the proclamation into the record. Foster Care Review also promotes advocacy, and there is a website called OneSimpleWish.org where individuals can fulfill wishes. Ms. Kane read the proclamation into the record. Ms. Kane acknowledged Victor Pulido, Office Manager in the Mayor's Office, who was also a foster child. Clerk's Note: For more information visit: <http://www.onesimplewish.org/>

Issa Hosein, Candice Maze, Debbie Robins and Sandra Barrett all spoke on fostering and adopting needs, and the importance of educating the community on what they can do to foster a child.

Commissioner Tobin visited the Foster Care Review organization, a group of volunteers who review the foster children's files, and ensure they receive proper medical care. This organization is amazing, and for citizens to spend one day a week to review files to make sure the children are taken care of is great. The apex of help is adopting. Clerk's Note: For more information visit: <http://www.fostercarereview.org/>

Commissioner Weithorn attended National Adoption Day, and detailed what a touching event is to see youngsters being adopted by loving families.

Handouts or Reference Materials:

Brochure from Our Kids of Miami-Dade/Monroe, Inc.

**6:14:00 p.m.**

PA10 Certificates Of Appreciation To Be Presented To Participants Of First Beach Orientation Day, September 21, 2014, For Sabrina Cohen Foundation.  
(Requested by Commissioner Edward L. Tobin)

**ACTION:** Certificates presented.

Commissioner Tobin explained that Sabrina Cohen and her foundation have been leading the efforts to have fully accessible beaches for the handicapped and elderly.

Sabrina Cohen thanked the City Commission, particularly Commissioner Tobin and his assistant Dessiree Kane. Ms. Cohen prepared a video of the Beach Orientation Day. She thanked the City Commission again for their continued support on behalf of all members of her foundation. The Beach Orientation Day video may be seen at [www.youtube.com/watch?v=8\\_onigsgVs0](http://www.youtube.com/watch?v=8_onigsgVs0)

Commissioner Tobin thanked the Ocean Rescue team who were very supportive that day. He stated some of the equipment needs repair, and the Administration is looking into it. He presented certificates of appreciation to Chris Makos, Angel Pardo from DMR Corp., Walter Javier from Family Fitness and Wellness, Nick Maccarrone from Pediatric Psychology Associates, Miami Beach Parks & Recreation Department, Miami Beach Ocean Rescue and New York Bagel who supplied the food.

**7:00:30 p.m.**

PA11 Unit Citation Awards To Be Presented To The Following: Captain Patrick Huddleston, Lieutenant Bryan Baez, Lieutenant Jeremy Bloomfield, Firefighter Jose Martell, Firefighter Michael Saavedra, Firefighter David Yocum, Firefighter Ryan Yuhr, And Firefighter Alex Correa, For Their Part In Saving A Young Man's Life On July 22, 2014.  
(Fire)

**ACTION:** Awards presented.

Fire Chief Virgilio Fernandez introduced the item. The Unit Citation Award is presented by the Fire Chief to Department members who distinguished themselves with courage, and or exceptional performance collectively as a team at the scene of an emergency or incident.

He presented the Unit Citation Award and called the recipients: Captain Patrick Huddleston, Lieutenant Bryan Baez, Lieutenant Jeremy Bloomfield, Firefighter Jose Martell, Firefighter Michael Saavedra, and Firefighter David Yocum.

Fire Chief Fernandez explained the incident that occurred on July 22, 2014, and the bravery of the crew that arrived at the scene to help a patient who went into cardiac arrest, and required resuscitation efforts, and a quick response to bring him to Mount Sinai Hospital. Fire Chief Hernandez thanked all those present.

**7:03:51 p.m.**

PA12 Unit Citation Awards To Be Presented To The Following: Captain Patrick Huddleston, Captain Charles Brown, Firefighter Hans Estrada, Firefighter Dave Frazier, Acting Lieutenant Zvi Hirsch, Firefighter Carlos Alonso, Firefighter Anthony Amoruso, Firefighter Robert Voss, Firefighter Danny Diaz, Firefighter Michael Mullins, Firefighter Kenneth Reardon, Lifeguard Osvaldo Garcia Jr., And Lifeguard Carlos Escudero, For Helping Rescue A Young Child From Drowning At 65<sup>th</sup> Street Beach.

(Fire)

**ACTION:** Awards presented.

Fire Chief Fernandez introduced the item and called the names of the recipients: Captain Charles Brown, Firefighter Hans Estrada, Firefighter David Frazier, Firefighter Zvi Hirsch, Firefighter Carlos Alonso, Firefighter Anthony Amoruso, Firefighter Robert Voss, Firefighter Danny Diaz, Firefighter Michael Mullins (retired), Firefighter Kenneth Reardon (retired), Lifeguard Osvaldo Garcia Jr, and Lifeguard Carlos Escudero.

Fire Chief Fernandez detailed the events when a young child was drowning at the 65<sup>th</sup> Street Beach. Ocean Rescue personnel were the first on the scene, removed the child from the water, and initiated CPR. When the Fire Rescue team arrived, the child was unresponsive. She was brought to Mount Sinai Hospital where she was stabilized, and then transferred to the Miami Children's Hospital. The child made a remarkable recovery.

**7:06:52 p.m.**

PA13 Citizen Lifesaving Awards To Be Presented To John Siddons, And Jimmy Betancourt For Rescuing A Young Man From Drowning On July 5, 2014.

(Fire)

**ACTION:** Citizen Lifesaving Awards presented.

Fire Chief Fernandez introduced the item. The Citizen Lifesaving Award is presented to a person outside of the Fire Department, who has been involved in a lifesaving emergency effort before the arrival of the Fire Department, and provided extraordinary assistance. On July 5, 2014, a young man aged approximately 18 years was in distress swimming in the ocean. Mr. John Simmons noticed the young man go under water, quickly swam to him, and brought him back to shore. Mr. Jimmy Betancourt, a tourist from Massachusetts, assisted Mr. Simmons in bringing the unconscious young man to the beach, and helped until Fire Rescue arrived. Fire Chief Fernandez presented the award to Mr. Simmons, and noted that Mr. Betancourt could not make it, because he lives in Massachusetts.



**7:09:58 p.m.**

PA14 Medal Of Valor To Be Presented To Captain Adonis Garcia For His Selfless And Brave Act When He Assisted A Miami Beach Police Officer In Subduing A Violent Subject Off The 1600 Block Of Washington Avenue On July 25, 2014.

(Fire)

**ACTION:** Medal of Valor presented.

Fire Chief Fernandez introduced the item. The Medal of Valor is awarded to firefighters who show bravery and courage performing above and beyond the call of duty during an emergency while on or off duty. Captain Garcia helped a Police Officer who was being attacked by an intoxicated man who was harassing passersby. The intoxicated man was biting and kicking the Officer. Captain Garcia, who was off duty, came to the assistance of the Police Officer, and helped subdue the violent subject while backup arrived.

**6:38:16 p.m.**

PA15 Certificate Of Recognition To Be Presented To The Miami Beach Visitor And Convention Authority (MBVCA) For Their Award Winning Miami Beach API And APP, Which Was The 2014 Gold Magellan Award Winner In The Destinations - Overall-Mobile APP Category For Travel Weekly Magazine.

(Requested by Commissioner Micky Steinberg)

**ACTION:** Certificate presented.

Commissioner Steinberg presented the item, and commended those involved in winning the 2014 Gold Magellan Award.

Steven Adkins, Chair of MBVCA recognized the team responsible for putting this application together, and thanked: Grisette Roque Marcos, Executive Director; Eileen de la Cuesta, Assistant Director; Marian Irizarry, Database Administrator; Danny Hertzberg, Board Member; Peggy Benua, Vice-Chair; Jeff Lehman, Former Chair; Shawn Moore from Solodev; Bismarck Canut from Lansight Consulting.

Handout or Reference Materials:  
List of presenters

**7:12:28 p.m.****New Item**

PA16 Proclamation Presented To Miami-Dade County Homeless Trust For Homeless Awareness Day.  
(Requested by Commissioner Weithorn)

**ACTION:** Proclamation presented.

Commissioner Weithorn read the proclamation into the record to declare November 6, 2014 Homeless Awareness Day. The Homeless Trust has been doing business for over 20 years, but this year is special, because the push is now to end veteran homelessness by December 31, 2015 to help those who served our country, but now live on the streets.

Ronald L. Book, Chair of the Miami-Dade County Homeless Trust, stated that former



Commissioner David Pearlson helped by going City to City getting the word across, and raise funds for the trust. They participate in assessment programs with the goal to work toward placing homeless veterans quickly, and they have accomplished their goal. Washington started the edict to eliminate Veteran homelessness one year from now.

Commissioner Wolfson added that homelessness is an issue that the City is trying to assist with, and not to erase it from the map. It is amazing how prevalent the problem is and hopefully it is changing.

Discussion held.

Mr. Book stated that there are a large number of homeless children, and if they do not count them, they cannot target them for help.

For more information of the Miami-Dade County Homeless Trust visit:  
<http://www.miamidade.gov/homeless/>

**Handouts or Reference Materials:**

Invitation for Homeless Awareness Day – November 6, 2014 at 8:00 a.m. at Port Miami Terminal E.

**New Item**

PA17 Retirement Plaque Honoring Rabbi Pinchas Weberman For His Many Years Of Service To The City of Miami Beach And The Miami Beach Police Department.  
(Requested by the Miami Beach Police Department)

**ACTION:** Deferred.

**7:27:38 p.m.**

**New Item**

PA18 Certificate Of Recognition/Wendy Kallergis, Jonathan Plutzik, & Robert Hill, Aiding Immigrants Through Naturalization-Application Process Within The Workforce.  
(Requested by Commissioner Steinberg)

**ACTION:** Certificates presented.

Commissioner Steinberg gave a brief background about the services provided by Wendy Kallergis, who has helped many individuals in the hospitality business become US citizens, and Jonathan Plutzik, whose business is built around philanthropy, arts, and culture, and has helped many employees become US citizens. Mr. Plutzik was unable to attend the meeting.

Wendy Kallergis, President and CEO of the Greater Miami and the Beaches Hotel Association, thanked Mayor Levine, City Manager Morales, Vice-Mayor Grieco, City Commissioners, City Clerk, and her family in the audience, along with Peggy Benua. She spoke about the trip they took to Washington D.C., and stated that Miami-Miami Beach is leading the pack. They will reach out to the corporate offices and the numbers of naturalized US citizens will increase. They are thrilled and she thanked everyone.

**City Clerk's Note:** The White House honored three Miami-Dade executives Wednesday, October 22, 2014 for helping immigrants navigate the naturalization-application process within the workforce. Robert Hill, general manager of the InterContinental Miami hotel; Wendy Kallergis,

president and CEO of the Greater Miami and the Beaches Hotel Association; and Jonathan Plutzik, chairman and principal owner of The Betsy hotel are three of 10 people across the country who were named "Champions of Change." The other seven honorees are from New York, California and Ohio. "These Champions recognize that citizenship is an asset for businesses, workers and their families, strengthening our overall economy," according to a White House statement. From that group of 10, five of the honorees — including Hill, Kallergis and Plutzik — are partners in the New American Workforce program, which works with businesses to help eligible employees who are immigrants to become citizens in seven cities with large numbers of legal permanent residents. Information obtained from the Miami Herald website at: <http://www.miamiherald.com/news/local/article3209652.html>

### **CONSENT AGENDA**

**5:17:25 p.m.**

Motion made by Commissioner Weithorn to add items C4B, C4C and C7D to the Commission Agenda; seconded by Vice-Mayor Grieco; Voice vote: 7-0.

**5:17:41 p.m.**

Motion made by Commissioner Weithorn; seconded by Vice-Mayor Grieco to approve the Consent Agenda. Voice-vote: 7-0.

### **C2 - Competitive Bid Reports**

- C2A Request For Approval To Award A Contract Pursuant To Invitation To Bid (ITB) No. 2014-343-SW For The Furnishing And Installation Of Holiday Decorations.  
(Public Works/Procurement)

**ACTION:** Request awarded. **Eric Carpenter and Alex Denis to handle.**

- C2B Request For Approval Of Amendment 1 To Contracts With Miami Elevator Inspections, Inc., And A-1 Elevator Inspection, Inc., Awarded Pursuant To Invitation To Bid No. 33-11/12, For Elevator Inspection Services, To Include An Hourly Rate For Inspection Services As Required By The Building Department.  
(Building/Procurement)

**ACTION:** Request awarded. **Mariano Fernandez and Alex Denis to handle.**

**C4 - Commission Committee Assignments**

- C4A Referral To Planning Board And Land Use And Development Committee Regarding A Zoning Ordinance Amendment To Extend The CD1 Block To Encompass 1100 15<sup>th</sup> Street.  
(Requested by Commissioner Joy Malakoff)

**ACTION:** Item referred. **Thomas Mooney to place on the board and committee agendas and to handle.**

**ADDENDUM MATERIAL 1:**

- C4B Referral To The Land Use And Development Committee And Planning Board Regarding A Possible Text Amendment For Ocean Front Properties In The RM-3 District To Permit The Addition Of Balconies On Non-Contributing Buildings.  
(Requested by Commissioner Joy Malakoff)

**ACTION:** Item referred. **Thomas Mooney to place on the committee agenda and to handle.**

**ADDENDUM MATERIAL 1:**

- C4C Referral To The Finance And Citywide Projects Committee - Risk Management Fund Actuarial Determined Liability.  
(Budget & Performance Improvement)

**ACTION:** Item referred. **Patricia Walker to place on the committee agenda. John Woodruff to handle.**

**C7 - Resolutions**

- C7A A Resolution Approving And Authorizing The City Manager To Submit A Request To The State Of Florida Department Of Economic Opportunity (DEO) To Amend The City's Neighborhood Stabilization Program 1 (NSP1) Grant Agreement In The Amount Of \$201,801.66; Authorizing The City Manager To Utilize These Amended Funds For The Acquisition Of The Lottie Apartments, Madeleine Village Apartments And Neptune Apartments; And Further Directing That The Remaining Funds Be Used To Create An Operating Reserve For The Subsequent Maintenance Of The Aforementioned Properties.  
(Housing & Community Services)

**ACTION:** Resolution 2014-28803 adopted. **Maria Ruiz to handle.**

- C7B A Resolution Accepting The Recommendation Of The Audit Committee Pertaining To The Ranking Of Proposals, Pursuant To Request For Proposal (RFP) No. 2014-276-LR For Auditing Services To Examine The City Basic Financial Statements Included In The City's Comprehensive Annual Financial Report (CAFR), Federal Grant Programs And State Projects (OMB A-133 Single Audit) And The Financial Statements Of The Miami Beach Redevelopment Agency's (RDA), The Parking Systems Fund's (PSF), The Miami Beach Visitor And Convention Authority's (VCA), The Miami Beach Convention Center (MBCC), As Managed By Global Spectrum (GS), The Safe Neighborhood Parks And Bond Program (SNP), Children Trust (CT) And Building Better Communities (BBC).

(Finance/Procurement)

**ACTION: Resolution 2014-28804 adopted. Patricia Walker and Alex Denis to handle.**

- C7C A Resolution Accepting The Recommendation Of The City Manager To Reject All Bids Received, Pursuant To Invitation To Bid No. 2014-228-JR, For The 7<sup>th</sup> Street Parking Garage Renovation.  
(Capital Improvement Projects/Procurement)

**ACTION: Resolution 2014-28805 adopted. David Martinez and Alex Denis to handle.**

#### **ADDENDUM MATERIAL 2:**

- C7D A Resolution Authorizing The City Manager To Approve And Execute The Work Order With BDI Construction, For The Associated Work With The Scott Rakow Youth Center Ice Rink To Include New Showers, Lockers, Multi-Purpose Room And Skate Rental Area Utilizing The Competitively Bid National Joint Powers Alliance (NJPA) Cooperative Contract For Construction Services With The Gordian Group.

(Capital Improvement Projects)

**ACTION: Resolution 2014-28806 adopted. David Martinez to handle.**

#### **End of Consent**

#### **REGULAR AGENDA**

#### **R5 - Ordinances**

**5:29:34 p.m.**

- R5A An Ordinance Amending Ordinance No. 93-2836 Of The City Of Miami Beach, Regarding The Establishment Of A Trust Fund For The "City Center/Historic Convention Village Redevelopment And Revitalization Area," By Amending Section 4 Thereof To Extend The Period Of Funding The Trust Fund; Providing For Repealer, Severability, And An Effective Date. **5:30 p.m. Second Reading Public Hearing**

(Sponsored by Mayor Philip Levine)

(Legislative Tracking: Tourism, Culture & Economic Development)

(First Reading on October 22, 2014 - R5M)

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance No. 2014-3901 adopted.** Motion made by Commissioner Weithorn; seconded by Commissioner Malakoff to adopt the Ordinance on second reading. Ballot vote: 7-0. **Max Sklar to handle.**

Kathie G. Brooks, Assistant City Manager, introduced the item, which is an extension of the RDA Trust pursuant to the agreed memorandum. The companion items to the Ordinance will be brought up on the November 19, 2014 Commission Meeting.

Handouts or Reference Materials:

Ad 951 published in The Miami Herald Neighbors Section.

Ballot vote

### **R7 - Resolutions**

**5:26:16 p.m.**

R7A Execute Lease Agreement With South Florida Workforce Investment Board And Lease Amendments For Tenants Of South Shore Community Center.

1. A Resolution Following A Duly Advertised Public Hearing, Waiving, By 5/7<sup>th</sup> Vote, The Competitive Bidding Requirement, As Permitted Under Section 82-39(a) Of The City Code, Finding Said Waiver To Be In The Best Interest Of The City, And Approving And Authorizing The Mayor And City Clerk To Execute A Lease Agreement Between The City ("Landlord") And South Florida Workforce Investment Board ("Tenant"), For Lease Of Office Space At The City-Owned Building Located At 833 6<sup>th</sup> Street, Miami Beach, Florida, Consisting Of 3,262 Square Feet, To Provide Workforce Services; Said Lease Having A Term Of Five (5) Years, Without Any Renewal Options, Retroactively Commencing October 1, 2014 And Ending September 30, 2019. **5:20 p.m. Public Hearing**

(Tourism, Culture & Economic Development)

**ACTION:** Public Hearing held. Item heard in conjunction with R7A 2-7. **Resolution 2014-28807 adopted.** Motion made by Commissioner Weithorn; seconded by Commissioner Malakoff to approve the Resolution; Voice-vote: 7-0. **Max Sklar to handle.**

Max Sklar, Tourism, Culture and Economic Development Director, introduced the item, which is a new lease agreement with South Florida Workforce Investment Board at the 6<sup>th</sup> Street Community Center. They have been providing services since 2002 through a grant; but during their latest grant cycle, the funds were awarded to KRA and not UNIDAD. Instead of having to change agreements periodically with other entities, depending on grant cycles and awards, the City worked out an arrangement where South Florida Workforce will enter into a lease with the City, and they will have the ability to have a subtenant who is the grant recipient. This item approves the subtenant who will take the space on the second floor, which is one of the spaces that UNIDAD previously occupied at a cost of \$15.86 per square foot.

Handouts or Reference Materials:

Ad 949 published in The Miami Herald Neighbors Section.

**5:28:32 p.m.**

2. A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee; Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Lease Between The City And Miami-Dade County ("Tenant"), Dated July 26, 2011, For The Demised Premises Located On The First Floor At 833 6<sup>th</sup> Street, Miami Beach, Florida; Said Amendment Renewing The Lease For The Sole Remaining Renewal Term Of Five (5) Years, Retroactively Commencing October 1, 2014 And Ending September 30, 2019; Adding Performance Benchmarks To The Tenant's Requirements Under The Lease; Increasing The Additional Rent From \$7.68 Per Square Foot To \$8.81 Per Square Foot, \$9.94 Per Square Foot And \$11.07 Per Square Foot For Years 1, 2 And 3 Of The Renewal Period, Respectively; And Reducing The Size Of The Demised Premises From 2,076 Square Feet To 691 Square Feet.  
(Tourism, Culture & Economic Development)

**ACTION: Resolution 2014-28808 adopted. Max Sklar to handle.**

**5:28:32 p.m.**

3. A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee; Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Lease Between The City And Jewish Community Services Of South Florida, Inc. ("Tenant"), Dated September 9, 2009, For The Demised Premises Located On The First Floor At 833 6<sup>th</sup> Street, Miami Beach, Florida; Said Amendment Renewing The Lease For The Senior Meals Program For The Sole Remaining Renewal Term Of Five (5) Years, Retroactively Commencing October 1, 2014 And Ending September 30, 2019; Adding Performance Benchmarks To The Tenant's Requirements Under The Lease; Increasing The Additional Rent From \$7.68 Per Square Foot To \$8.81 Per Square Foot, \$9.94 Per Square Foot And \$11.07 Per Square Foot For Years 1, 2 And 3 Of The Renewal Period, Respectively; And Increasing The Size Of The Demised Premises From 289 Square Feet To 485 Square Feet.  
(Tourism, Culture & Economic Development)

**ACTION: Resolution 2014-28809 adopted. See action with R7A2. Max Sklar to handle.**

**5:28:32 p.m.**

4. A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee; Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Lease Between The City And Jewish Community Services Of South Florida, Inc. ("Tenant"), Dated September 9, 2009, For The Demised Premises Located On The First Floor At 833 6<sup>th</sup> Street, Miami Beach, Florida; Said Amendment Renewing The Lease For The Senior Ride Program For The Sole Remaining Renewal Term Of Five (5) Years, Retroactively Commencing October 1, 2014 And Ending September 30, 2019; Adding Performance Benchmarks To The Tenant's Requirements Under The Lease; And Increasing The Additional Rent From \$7.68 Per Square Foot To \$8.81 Per Square Foot, \$9.94 Per Square Foot And \$11.07 Per Square Foot For Years 1, 2 And 3 Of The Renewal Period, Respectively.  
(Tourism, Culture & Economic Development)

**ACTION: Resolution 2014-28810 adopted. See action with R7A2. Max Sklar to handle.**



**5:28:32 p.m.**

5. A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee; Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Concession Agreement Between The City And Jewish Community Services Of South Florida, Inc. ("Concessionaire"), Dated July 15, 2009, For The Premises Located On The First Floor At 833 6<sup>th</sup> Street, Miami Beach, Florida; Said Amendment Renewing The Concession Agreement For The Sole Remaining Renewal Term Of Five (5) Years, Retroactively Commencing October 1, 2014 And Ending September 30, 2019; Adding Performance Benchmarks To The Concessionaire's Requirements Under The Concession Agreement; And Increasing The Additional Fee From \$1.92 Per Square Foot To \$2.20 Per Square Foot, \$2.49 Per Square Foot And \$2.77 Per Square Foot For Years 1, 2 And 3 Of The Renewal Period, Respectively.

(Tourism, Culture & Economic Development)

**ACTION: Resolution 2014-28811 adopted.** See action with R7A2. **Max Sklar to handle.**

**5:28:32 p.m.**

6. A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee; Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Lease Between The City And Little Havana Activities And Nutrition Centers Of Dade County, Inc. ("Tenant"), Dated September 9, 2009, For The Demised Premises Located On The First Floor At 833 6<sup>th</sup> Street, Miami Beach, Florida; Said Amendment Renewing The Lease For The Sole Remaining Renewal Term Of Five (5) Years, Retroactively Commencing October 1, 2014 And Ending September 30, 2019; Adding Performance Benchmarks To The Tenant's Requirements Under The Lease; Increasing The Additional Rent From \$7.68 Per Square Foot To \$8.81 Per Square Foot, \$9.94 Per Square Foot And \$11.07 Per Square Foot For Years 1, 2 And 3 Of The Renewal Period, Respectively; And Incorporating The Outside Playground As Part Of The Demised Premises.

(Tourism, Culture & Economic Development)

**ACTION: Resolution 2014-28812 adopted.** See action with R7A2. **Max Sklar to handle.**

**5:28:32 p.m.**

7. A Resolution Accepting The Recommendation Of The Finance And Citywide Projects Committee; Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Lease Between The City ("Landlord") And UNIDAD Of Miami Beach, Inc. ("Tenant"), Dated September 9, 2009, For The Demised Premises Located On The First And Second Floors At 833 6<sup>th</sup> Street, Miami Beach, Florida; Said Amendment Renewing The Lease For The Sole Remaining Renewal Term Of Five (5) Years, Retroactively Commencing October 1, 2014 And Ending September 30, 2019; Adding Performance Benchmarks To The Tenant's Requirements Under The Lease; Increasing The Additional Rent From \$7.68 Per Square Foot To \$8.81 Per Square Foot, \$9.94 Per Square Foot And \$11.07 Per Square Foot For Years 1, 2 And 3 Of The Renewal Period, Respectively; Relocating Tenant From A Portion Of Its Current Location On The Second Floor To A Portion Of The Space Currently Occupied By Miami-Dade County On The First Floor; Decreasing The Total Size Of The Demised Premises From 4,155 Square Feet To 2,082 Square Feet; And Modifying The Permitted Use Of The Demised Premises To Include Additional Services.

(Tourism, Culture & Economic Development)

**ACTION: Resolution 2014-28813 adopted.** See action with R7A2. **Max Sklar to handle.**



**5:36:51 p.m.**

R7B A Resolution Approving, Following A Duly Noticed Public Hearing Pursuant To Section 163.361(2), Florida Statutes, An Amendment To The Miami Beach City Center/Historic Convention Village Redevelopment And Revitalization Area Plan (City Center RDA), An Approved Redevelopment Plan Under The Provisions Of Section 163.360, Florida Statutes (The Plan); Said Amendments: (A) Incorporating The City's Proposed Convention Center Renovation And Expansion Project; And (B) Providing For An Extension Of The City Center RDA At A Ninety Five Percent (95%) Tax Increment Until The Earlier Of March 31, 2044, Or The Date Agency Indebtedness Is No Longer Outstanding; Further Approving And Authorizing The Mayor And City Clerk To Execute A Third Amendment, By And Among Miami-Dade County (County), The City, And The Miami Beach Redevelopment Agency (RDA), To The November 16, 1993 Interlocal Cooperation Agreement, As Amended (The Interlocal Agreement), Related To The City Center RDA And By Which The County Originally Delegated To The City Certain Redevelopment Powers Conferred To The County Under Part III, Chapter 163, Florida Statutes (The Community Redevelopment Agreement Act Of 1969" Or The "Act"); And Which Amendment, Among Other Terms, Extends The Term Of The City Center RDA As Provided In The Aforestated Plan Amendment, And Adds An Additional Member To The Governing Board Of The Agency, Who Shall Be The Miami-Dade County Commissioner Of County Commission District 5, Pursuant To Section 163.357(d) Of The Florida Statutes. **5:35 p.m. Public Hearing**

(Tourism, Culture & Economic Development)

**(Open & Continued to November 19, 2014)**

**ACTION:** Opened and Continued to November 19, 2014 Commission Meeting. Motion made by Commissioner Weithorn; seconded by Vice-Mayor Grieco; Voice vote 7-0. Lilia Cardillo to place on the Commission Agenda if received. **Max Sklar to handle.**

Handouts or Reference Materials:

Ad 951 published in The Miami Herald Neighbors Section.

5:41:25 p.m.

**SUPPLEMENTAL MATERIAL 1: Revised Memorandum, Resolution & Agreement**

R7C A Resolution Approving, In Substantial Form (As Attached And Incorporated To This Resolution), Following First Reading/Public Hearing, A Development Agreement, As Authorized Under Section 118-4 Of The City Code, And Sections 163.3220 – 163.3243, Florida Statutes, Between The City And 8701 Collins Development, LLC (“8701”), Which Development Agreement, In Pertinent Part, (1) Memorializes The Conditions For Vacating The City’s Right-Of-Way At 87<sup>th</sup> Terrace East Of Collins Avenue (“City Parcel”); (2) Grants To The City A Perpetual Pedestrian Access Easement Across A Portion Of The Vacated City Parcel; (3) Ensures The Payment Terms For 8701’s Payment Of A Voluntary Monetary Contribution, In The Amount Of \$10.5 Million Dollars, To Be Used By The City For Public Purposes; (4) Provides For The Terms And Conditions Under Which 8701 Will Design, Develop And Construct Certain Improvements To The City’s Right-Of-Way At 87<sup>th</sup> Street And Collins Avenue, Including Without Limitation, The Terms Of A Management Agreement Between The City And 8701; And (5) Delineates The Conditions For The Design, Development And Construction Of The Project Located At 8701 Collins Avenue As A Hotel And/Or Residential Condominium Site; Further Authorizing The City And 8701 To Continue To Negotiate And Finalize Any Outstanding Terms Of The Development Agreement Between First And Second Reading; And Further Setting The Second And Final Reading Of The Development Agreement For A Time Certain. **5:40 p.m. First Reading Public Hearing**

(Office of the City Attorney)

(Continued from October 22, 2014 - R7B)

**ACTION:** Public Hearing held. Title of the Resolution read into the record. **Resolution 2014-28814 adopted on first reading.** Motion made by Commissioner Weithorn; seconded by Vice-Mayor Grieco; Voice vote; 7-0. **Office of the City Attorney to handle.** Second reading public hearing is scheduled to November 19, 2014 at 11:25 a.m., in the City Commission Chambers, Third Floor, City Hall. Item heard in conjunction with R7D.

Raul J. Aguila, City Attorney, introduced the item. When the vacation of 87<sup>th</sup> Terrace was considered, City Attorney Aguila promised the Commission that he would have a substantial form drafted prior to November. He asked the Commission to approve the draft before them, which is the City’s draft of the development agreement. The developer has indicated that there are a few items that remain to be negotiated in the agreement, but nothing that will preclude them from successfully negotiating those items, and bringing them back in November for second and final reading. This draft memorializes the vacation of 87<sup>th</sup> Terrace, which is being incorporated as part of the developer’s proposed project, and includes an additional FAR of 37,000 square feet. This agreement also memorializes the terms by which the developer shall pay the \$10.5 million voluntary contribution to the City, which is an integral part of the City’s approval of the development agreement and vacation.

Mayor Levine asked whether the \$10.5 million would be used for North Beach.

City Attorney Aguila affirmed that the money will go to North Beach, and the recommendation is for 50% go to North Shore Open Space Park, and the remainder goes to expenditures in North Beach projects within a defined area in the Resolution subject to the Commission’s discretion.

Commissioner Malakoff expressed her objection on the description of North Beach in item R7D’s title. She stated North Beach should start at 63<sup>rd</sup> Street, and not 69<sup>th</sup> Street.

Mayor Levine agreed that the description should have North Beach beginning at 63<sup>rd</sup> Street.

Daniel Ciraldo, MDPL, is following up on an e-mail he received from the North Shore Historic District Association. He agrees with the plan of restoring the existing building, and constructing a condominium next to it, but he is concerned there may be an alternate plan. He thanked Commissioner Tobin in particular for his help securing funds for the project.

Joe Jimenez, Assistant City Manager, stated there is only one plan that has been approved by the Land Use Committee, and said there are rumors going around about alternate plans, but they are false.

Ted Berman, Biscayne Point Homeowners Association President, spoke in opposition to vacation of the street. At their board meeting, it was reiterated as a unanimous vote in opposition. Mr. Berman stated that this action has no precedent. Land with beach access has never been vacated in favor of a developer to make a larger building; the Commission is giving up the right of residents to have access to the beach.

Commissioner Wolfson explained that residents in North Beach have been asking for positive development, and this requires give-and-take negotiations. The give here is a few parking spaces on the east side of the street; the City is not giving up the right-of-way. Commissioner Wolfson does not think this is setting a bad precedent. They are rehabilitating the Park with funds donated by the developer, and will bring North Beach forward. The money is going right to North Beach.

Mayor Levine stated that this type of thinking is what has been hurting North Beach for the past 20 years.

Discussion held.

Vice-Mayor Grieco stated that they are spending a great deal of time, energy, and money on North Beach, and they are now bringing in \$10.5 million into the area. He compared the actions taking place in North Beach with the South of Fifth neighborhood revitalization. Responsible development needs to take place in North Beach. There will still be beach access, and he stated he would take personal responsibility regarding the safety of the Collins Avenue crosswalk.

Commissioner Steinberg respects Mr. Berman's opinion; however, there is beach access for the public, and she will petition the State to put in a proper crosswalk to fit the public's needs. Commissioner Steinberg would also like to see a future trolley stop at the location to benefit the residents.

Discussion held.

Commissioner Malakoff stated that there would be two accessible paths to the beach dedicated to the project.

Commissioner Tobin stated that Mr. Berman has done a great deal of service for the community in the past years. Commissioner Tobin agrees with the project, but would like to assure that the crosswalk will be at least 10 feet wide, and handicapped accessible.

Raul J. Aguila, City Attorney, explained that the City Manager's Office or the Commission would have review of the design; it is intended to be a pedestrian easement.

Mr. Berman commented on the development of the South of Fifth Neighborhood.

Mayor Levine hopes that North Beach experiences the success of South of Fifth.

Handouts or Reference Materials:

Ad 953 published in The Miami Herald Neighbors Section.

**6:00:27 p.m.**

R7D A Resolution Accepting The September 24, 2014 Unanimous Recommendation Of The Finance And Citywide Projects Committee To Dedicate The \$10.5 Million Dollar Voluntary Contribution By 8701 Collins Development, LLC (8701), As Contemplated Under Resolution No. 2014-28743, Toward The Area Of North Beach, North Of 69th Street; And To Utilize 50 Percent (50%) Of The \$10.5 Million Toward The Revitalization Of North Beach Open Space Park, Including Creating An Endowment Account To Ensure The Future Renewal, Replacement And Maintenance Of The Park.

(Public Works)

(Continued from October 22, 2014 – R7C)

**ACTION: Resolution 2014-28815 adopted.** See action with item R7C. Motion made by Vice-Mayor Grieco; seconded by Commissioner Malakoff to approve the Resolution; Voice-vote: 7-0. **Eric Carpenter to handle.**

**Amendment:**

Location where North Beach commences.

See discussion with R7C.

**5:18:12 p.m.**

R7E A Resolution Approving And Authorizing The Mayor And City Clerk To Execute A Change Order To David Mancini & Sons, Inc., For Additional Engineering Services, Drainage Structure Modification, Drainage Pipe, Storm Water Pump Station, Pollution Control Structure, Milling And Repaving And Water Main Replacement For The Biscayne Point Neighborhood Right-Of-Way Improvements Project, As Part Of A Flood Mitigation Project On Crespi Boulevard, For A Total Construction Cost Of \$3,550,876.

(Public Works)

**ACTION: Resolution 2014-28816 adopted.** Item heard in conjunction with R7F and R7G. Motion made by Commissioner Weithorn, with funding as read into the record; seconded by Vice-Mayor Grieco to approve the Resolutions; Voice-vote: 7-0. **Eric Carpenter to handle.**

Bruce Mowry, City Engineer, brought this item up due to the flooding during high tides on Crespi Boulevard. He explained the draining system and pump station that will keep the neighborhood's streets dry during high tide events. He also detailed the old water line in the area that needs replacing.

Commissioner Weithorn asked where the funding for these projects is coming from, because it was not detailed in the item.

Eric Carpenter, Public Works Director, stated the reason the funding was not explained was that they were still trying to find the funds. In order to execute the change orders, they identified

construction projects that were not moving forward. They identified available funds from the capital books from this year, and much of the money will be coming from the West Avenue project, which is being constructed in portions, La Gorce, North Shore, Palm, Hibiscus, and Flamingo neighborhoods; and a total of \$19 million between storm water and sewer funds. They are still \$6 million short, and are proposing to have two notices to proceed in the Bergeron contract. One for funding amount presently available and the remainder of approximately \$6 million to be issued once that funding source is available, whether it is County agreement that frees up initial storm water funds. Once bond issuance takes place, all the funds borrowed would go back into neighborhood projects.

Commissioner Weithorn requested the funding to be on the record, because she cannot support it otherwise.

Discussion held.

Commissioner Wolfson asked when the pump stations would be ready.

Bruce Mowry stated they are preparing to have it ready for November or December.

**5:18:12 p.m.**

R7F A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Change Order No. 2 To Lanzo Construction Co., For Additional Engineering Services, Drainage Structure Modification, Drainage Pipe, And Water Main Replacement For The Sunset Harbour Pump Stations Retrofit And Drainage Improvements Project, To Replace Failing Water Supply Distribution And Improve Drainage On West Avenue And Bay Road In Sunset Harbour, And Emergency Lining Of Sewer Force Mains On Sunset Islands, For A Total Construction Cost Of \$5,090,718, Plus \$500,000 Contingency.  
(Public Works)

**ACTION: Resolution 2014-28817 adopted.** Item heard with R7E. See action with R7E. Motion made by Commissioner Weithorn, with funding as read into the record; seconded by Vice-Mayor Grieco to approve the Resolutions; Voice-vote: 7-0. **Eric Carpenter to handle.**

**5:18:12 p.m.**

R7G A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Change Order No. 3 To The Agreement With Bergeron Land Development, Inc., Dated April 30, 2014 (The Agreement), Related To The Completion Of Roadway Improvements Along West Avenue Between 6<sup>th</sup> And 8<sup>th</sup> Streets And 10<sup>th</sup>, 14<sup>th</sup>, And 17<sup>th</sup> Streets West Of Alton Road With A Stormwater Pump To Be Constructed At 17<sup>th</sup> Street, Further Increasing The Cost Of The Agreement Of \$15,670,000.  
(Public Works)

**ACTION: Resolution 2014-28818 adopted.** Item heard with R7E. See action with R7E. **Eric Carpenter to handle.** Motion made by Commissioner Weithorn, with funding as read into the record; seconded by Vice-Mayor Grieco to approve the Resolutions; Voice-vote: 7-0. **Eric Carpenter to handle.**

**R9 - New Business and Commission Requests****5:04:16 p.m.**

R9A Discussion Regarding A Resolution Pursuant To City Of Miami Beach Code Section 2-462(c), Granting A Waiver, By 5/7 Vote, Of The City's Post-Service Employment Prohibition, In Connection With City Commissioner Ed Tobin's Statement Of Intention To Apply For Employment As A Certified City Of Miami Beach Police Officer, Finding That The Public Interest Would Be Served By Such Waiver.

(Requested by Commissioner Edward L. Tobin)  
(Legislative Tracking: Office of the City Attorney)

**ACTION:** Discussion held. **Resolution 2014-28819 adopted.** Motion made by Commissioner Wolfson; seconded by Vice-Mayor Grieco; Voice vote: 6-0; Commissioner Tobin recused himself.

Raul J. Aguila, City Attorney, addressed housekeeping items pursuant to City Code section 2-458 "Supplemental Abstention and Dispersion Requirements." He then asked Commissioner Tobin to read his statement to the Commission.

Commissioner Tobin read his statement asking the City Commission to waive the City's post-service employment restrictions. He stated he would not participate in the deliberation, or vote on this issue, and would leave the Commission Chamber during deliberation of the item. (Commissioner Tobin left the Commission Chamber).

City Attorney Aguila stated that as required by City Code section 2-458, and County Law, Commissioner Tobin has filed with the City Clerk form 8B Memorandum of Voting Conflict for Municipal and Other Public Officers. City Attorney Aguila read City Code section 2-462, which requires a 5/7<sup>th</sup> vote to waive the City's post-service employment restrictions.

Mayor Levine asked for tonight's conversation to be limited to the request made by Commissioner Tobin. He does not believe it proper to discuss what actions to take should Commissioner Tobin be offered a job. Mayor Levin stated that this this law was passed because it prevents elected officials from enriching themselves, or gaining special access. He believes what Commissioner Tobin is asking for is very admirable; because he is asking to help serve the City, and people that he loves. He compared Commissioner Tobin's dream to his own of running for Mayor.

Commissioner Malakoff stated that she supports Commissioner Tobin's dream, as she herself always wanted to be a Commissioner, and she believes Commissioner Tobin should have the opportunity to become a Police Officer.

Mayor Levine wanted to make it clear that today's vote was to allow Commissioner Tobin to apply to a Police Officer position. Commissioner Tobin must still pass all of the tests, and apply for the job.

Vice-Mayor Grieco expressed his support for the item. The Ordinance, which restricts post-service employment, was intended to prevent cronyism. However, the Ordinance does provide an exception when it serves the public interest, and he believes Commissioner Tobin being a Police Officer would benefit the public interest.

Commissioner Wolfson reiterated Vice-Mayor Grieco's point. The Ordinance allows for a 5/7<sup>th</sup> exclusion because there are circumstances when you want someone to work for the City



immediately, and he believes this is one of those instances.

Commissioner Weithorn stated the post-service employment restriction Ordinance was meant as a safety-check, but she does not believe today's vote should be obstructed because of it.

Commissioner Steinberg expressed her support for Commissioner Tobin, but she would like to sponsor an amendment to the post-service employment restriction Ordinance, to have elected officials supply a letter of resignation before applying for a City job. Office of the City Attorney to handle.

**City Clerk's Note:** See item R5R of the November 19, 2014 Commission Meeting.

Handouts or Reference Materials:

1. Form 8B completed by Commissioner Ed Tobin on date: 10.29.2014 Clerk Reference #110

**5:29:05 p.m.**

R9B Discussion Regarding Pedestrian Priority Zone.

(Requested by Vice-Mayor Michael Grieco)

**ACTION:** Opened and continued to November 19, 2014 Commission Meeting. Motion made by Vice-Mayor Grieco; seconded by Commissioner Weithorn; Voice vote 7-0 **Clerk's Note:** See item R9E of the November 19, 2014 Commission Meeting.

Meeting adjourned at 7:32:05 p.m.

End of Agenda